

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

BANDSPEED, INC.,

Plaintiff,

v.

GARMIN INTERNATIONAL, INC.;  
GARMIN USA, INC.; LG  
ELECTRONICS, INC.; LG  
ELECTRONICS U.S.A., INC.; LG  
ELECTRONICS MOBILECOMM U.S.A.,  
INC.; MOTOROLA SOLUTIONS INC.  
FNA MOTOROLA, INC.; MOTOROLA  
MOBILITY INC.; TOSHIBA  
CORPORATION; TOSHIBA AMERICA  
INFORMATION SYSTEMS, INC.;  
TOSHIBA AMERICA, INC.,

Defendants.

CASE NO. 1:11-CV-00771

**AMENDED NOTICE OF ANTICIPATED SETTLEMENT AND  
AGREEMENT TO STAY PENDING DEADLINES**

Bandspeed, Inc. (“Bandspeed”) and Toshiba Corporation, Toshiba America Information Systems, Inc. and Toshiba America, Inc. (collectively, “Toshiba”) advise the Court and all other parties to the above-referenced action that Bandspeed and Toshiba have reached an agreement in principle, subject to the execution of mutually agreeable settlement documents, that they anticipate will resolve all claims and causes of action between them. This filing is intended only to provide notice of the anticipated settlement and does not constitute an agreement to settle the disputes between the parties.

To allow the parties to negotiate and draft final settlement documents, Bandspeed and Toshiba have agreed to cease prosecution of the above-referenced actions and to stay all pending deadlines therein, solely as to each other, until and including February 10, 2014.

Should the Court deem it necessary or appropriate for Bandspeed and Toshiba to file a motion or take other action to formalize the stay of pending deadlines and request to defer consideration of pending motions referred to herein, the Parties will gladly take whatever action the Court requests.

DATED this 29<sup>th</sup> day of January 2014.

Respectfully submitted,

By: /s/ Mikal C. Watts

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**COUNSEL FOR PLAINTIFF  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of January 2014, I served a true and correct copy of the foregoing document on all counsel of record in accordance with the Federal Rules of Civil Procedure as indicated below.

/s/ Christopher V. Goodpastor

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